

## REMARKS

The present application is a continuation of application serial no. 10/269,436. Claims 1-26 were cancelled in the previous application and are re-submitted in the present application. The claims now numbered 28-36 were presented in the earlier application through amendment dated October 11, 2002, as claims 28-36. The claim now numbered Claim 27 was also submitted in the October 11, 2002 amendment, as claim 37. No new matter is added.

Previous claims 1-26 and 28-37 were rejected or objected to in the prior prosecution as anticipated by either U.S. Patent No. 5,129,440 issued to Colson (Colson '440) or U.S. Patent No. 5,974,763 issued to Colson et al (Colson '763). Applicants submit that the claims as presented are distinguishable over cited prior art.

A. Colson '440 Does Not Disclose Each And Every Element Of The Claimed Invention

Applicants wish to thank the examiner for the clarification of the basis of the rejection based on the Colson '440 patent. Applicants respectfully disagree with the conclusion that the unlabeled divider between reference numerals 6 and 8 (for example in Figures 3 and 8C) teach the claimed limiting member portion. In particular, the unlabeled divider relied upon in the rejection does not perform any limiting function as claimed.

The Colson '440 patent makes clear that the unlabeled divider is not the portion which limits the extent to which any particular cell may be extended. Instead, it is the rear wall 8 that performs this function.

Each cell 2 has a cross-sectional shape including a droopy hanging front wall flap 6 extending downwardly and outwardly from a top portion 7 of each cell. The front wall flaps define the front faces of the cells, i.e., those portions which are visible when the shade is in use. **Preferably, the front wall flaps 6 are of sufficient height compared to the rear wall 8 so that the front wall flap of**

**each cell droops downwardly at least as far as the juncture between the cell of which it is a part and the immediately adjacent lower cell, when the shade is in the expanded state.** (Col. 3, l. 67 - col. 4, l. 4).

It is further explained that the height of the rear wall is the portion which limits the extent to which the rows disclosed in Colson '440 can be extended.


In the expanded state of the shade of the invention shown in FIGS. 3 and 6, the height of the rear wall 8 effectively defines the spacing of the cells 2. In this way the cells 2 can be made of predetermined height, to effect the desired appearance. **The extent of cell expansion of the assembly is thus controlled by the height of the rear wall portion of each cell.** (Col. 5, ll. 28-34).

Applicants respectfully submit that there is no teaching in Colson '440 of a cellular structure where the extent of cell expansion is controlled by the unlabeled divider cited in the rejection. For at least this reason, the present claims are not anticipated by the Colson '440 patent.

B. Colson '763 Does Not Disclose Each And Every Element Of The Claimed Invention

Applicants submit that the claims as presented are not anticipated by the Colson '763 patent. The claims specify that the extent to which each row may be extended is limited by the limiting member portion when the limiting member portion is fully extended. The Colson '763 patent does not disclose such a configuration. Accordingly, Applicants submit that the Colson '763 patent does not anticipate the claims.

Respectfully submitted,

By   
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